

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA	:	
	:	Case No. 2:05-CR-060(2)
Plaintiff,	:	
	:	JUDGE ALGENON L. MARBLEY
v.	:	
	:	
CHAD V. JARRELL,	:	Magistrate Judge King
	:	
Defendant	:	

ORDER

This matter is before the Court on the Government's Motion for Competency and Sanity Evaluations. (Dkt. 304) Defendant has allegedly violated Standard Condition No. 1, an allegation for which the Magistrate Judge found probable cause. The Magistrate Judge ordered Defendant detained pending trial. (Dkt. 303) On January 17, 2013 the Court, pursuant to 18 U.S.C. § 4121, granted the Government's Motion for Competency and Sanity Evaluations and ordered a mental health evaluation of Defendant. (Dkt. 305)

The Government contracted Netcare Forensic Center ("Netcare") of Franklin County, Ohio to conduct the evaluation. On March 3, 2013, the Court received a letter from Netcare indicating that Defendant "refused to sign consent forms so that relevant [mental health and medical treatment] records could be obtained." For Netcare to comply with this Court's Order (Dkt. 305), it requires release of Defendant's records currently in the possession of: Franklin County Corrections Center I, Gallia County Jail, Federal Bureau of Prisons – FCI Manchester (Kentucky), and Woodland Center, Inc. of Gallipolis, Ohio.

Under the Health Insurance Portability and Accountability Act (HIPAA), which governs the disclosure of medical records, "[a] covered entity may disclose protected health information

in the course of any judicial or administrative proceeding: (i) In response to an order of court . . . provided that the covered entity discloses only the protected health information expressly authorized by such order.” 45 C.F.R. § 164.512.

This Court has already found good cause to order a mental health evaluation of Defendant under 18 U.S.C. § 4121. (Dkt. 305) In order to accomplish the purposes of that Order, and in the interests of justice, the Court **ORDERS** each of the aforementioned organizations and institutions to disclose, in response to inquiries from the Netcare Forensic Center, all medical and mental health records related to Defendant, Chad V. Jarrell.

IT IS SO ORDERED.

DATED: April 5, 2013

s/ Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT COURT JUDGE